IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13014 of 2004

Between:

Sri Venugopal Bhajana Samajam, Zoonamchunduru - Village, Via-Prathipadu, Guntur Rural Mandal, Guntur District, Reptd. by its President, Davuluri Sriramakrishna, S/o. Raghavaiah, Aged 65 years

..... PETITIONER

AND

1 The Commissioner of Endowments, Andhra Pradesh,

Boggulakunta, Hyderabad.
2 The Deputy Commissioner, Endowments Department, Guntur.
3 The Assistant Commissioner, Endowments Department, Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly, one in the nature of Writ of Mandamus declaring the action of the respondents in not removing the unauthorized encroachments of land belonging to Sri Venugopalaswamy Devasthanam in an extent of 30 cents situated in Survey Nos. 323 and 324 of Zoonamchunduru Village, Guntur District, as per Section 85(1) of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 as illegal, arbitrary and unconstitutional and grant such other relief or reliefs in the circumstances of the case.

Counsel for the Petitioner:MR.P.V.V.GOPALAKRISHNA MURTHY (Not present)

Counsel for the Respondents: GP FOR ENDOWMENTS

The Court made the following :

<u>O R D E R:</u> (Per the Hon'ble Sri Bilal Nazki, ACJ):

Nobody appears for the petitioner.

The grievance of the petitioner was that some land of the temple has been encroached upon by the encroachers and the respondents were not taking steps to remove the encroachment.

In the counter-affidavit filed, it is stated that the encroachment was removed, the land was taken into possession and handed over to the temple management on 09-12-2004.

In view of this statement, which is not controverted, we feel no further orders are necessary to be passed in the writ petition.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, ACJ)

20th April, 2005.

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(Dr.G.Yethirajulu,J)

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To

1 The Commissioner of Endowments, Andhra Pradesh,

Boggulakunta, Hyderabad.
2 The Deputy Commissioner, Endowments Department, Guntur.
3 The Assistant Commissioner, Endowments Department, Guntur.

4 Two C.Cs to the Government Pleader for Endowments, High

Court Buildings, A.P., Hyderabad (OUT)

5 Two C.D copies.